UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK -----X MICHAEL VEGA, et. al.,

MEMORANDUM AND ORDER

Plaintiffs.

CV 06-5006

-against-

(Wexler, J.)

MSI, et al.,

Defendants.

APPEARANCES:

Misiano Shulman Capetola & Kessler, LLP By: Troy L. Kessler, Esq. Attorneys for Plaintiffs 510 Broadhollow Road Suite 110 Melville, NY 11747

Steve Zissou, Esq., Alan C. Kestenbaum, Esq. Steve Zissou & Associates Attorneys for Defendants 42-40 Bell Blvd. Suite 302 Bayside, NY 11361

WEXLER, District Judge

This order memorializes rulings made at a conference held before this court on February 2, 2007.

The Clerk of the Court is directed to vacate the judgment entered in this matter.

The default entered by the Clerk of the Court shall stay in place at this time.

The parties are directed to proceed to mediate this matter.

In the event that mediation does not result resolve this matter, Defendants may move, on notice, to vacate the default.

The parties are directed to report to the court as to the status of this matter within thirty

days of the date of this order.

SO ORDERED.

LEONARD D. WEXLER

UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York February 5, 2007